

Our File: 1000

February 4, 2022

BY EMAIL

Kimberly McKinley
Senior Registry Officer
Office of the Registrar
Superior Court of Justice
161 Elgin Street, 5th Floor
Ottawa, ON K2P 2K1

To the Registrar:

Re: Zexi Li v Chris Barber et al

We write to the Court to request the urgent hearing of a motion for an emergency injunction prohibiting the use of air horns and train horns by protesters in the vicinity of downtown Ottawa. As counsel for the plaintiff in the above action, we ask for this motion on an emergency basis tomorrow, on Saturday, February 5, 2022.

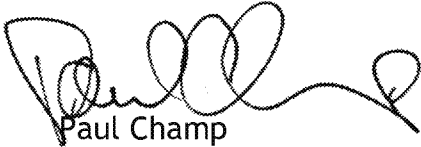
The underlying matter is a class action relating to the nuisance and harm of extreme noise caused by the Defendants, who are organizers and participants in the ongoing “Freedom Convoy” demonstrations in Ottawa. The Defendants have maintained a campaign of blasting vehicle horns persistently and continuously over the past week, and it is anticipated that the number of vehicles will increase and the noise campaign will escalate over the weekend and into next week. The statement of claim for this action was filed in the e-portal a few minutes ago, and we have not yet received an electronic issued copy. We are attaching the claim that was filed with this letter while we await a stamped copy and court file number.

The Defendants’ coordinated noise campaign involves use of air horns and train horns mounted on semi-trucks that emit sound pressure in the range of 100-150 decibels. Such noise levels are dangerous over prolonged periods, and can cause permanent damage to the human ear.¹ The Defendants’ noise campaign is causing ongoing mental distress and psychological harm, sleep disturbance, and potentially physical injury to the class members in this claim, who reside in close proximity to the “Freedom Convoy” demonstrations.

¹ Hearing damage can occur at 90 decibels where the exposure is over 30 minutes. At 100 decibels, hearing damage can occur in about 15 minutes; at 120 decibels, hearing damage can occur in a matter of seconds. Prolonged exposure to sound levels of 70 decibels and above can cause psychological distress and interfere with psychological integrity.

We can advise the Court that we can be in a position to file motion materials by 8:00pm this evening, and respectfully request the Court grant of a hearing of the Plaintiff's urgent motion as early as 10:00am on Saturday, February 5, 2022. We will make efforts to serve the motion on the respondents, but, given the urgent nature of the matter, we are prepared to proceed *ex parte*.

All of which is respectfully submitted.

A handwritten signature in black ink, appearing to read 'Paul Champ', with a stylized, cursive script. The signature is written over the printed name 'Paul Champ'.

Encl.